

Message Text

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41

ACTION EB-07

INFO OCT-01 ARA-06 EUR-12 EA-06 ISO-00 CIEP-01 DLOS-03

OES-03 COA-01 L-02 COME-00 OMB-01 TRSE-00 XMB-02

CIAE-00 INR-05 NSAE-00 RSC-01 SP-02 SS-15 NSC-05

DOT-00 CG-00 DODE-00 H-01 INT-05 FMC-01 /080 W

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 6741

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY OSLO

AMEMBASSY TOKYO

AMEMBASSY JAKARTA

AMEMBASSY MANILA

AMEMBASSY BANGKOK

AMEMBASSY LIMA

AMEMBASSY BRASILIA

USMISSION OECD PARIS

USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS: EINV, UK

SUBJECT: FOREIGN INVESTMENT IN FISHING

REF: STATE 265945

1. THE MINISTRY OF AGRICULTURE FISHERIES AND FOOD HAS
INFORMED THE EMBASSY THAT THE ONLY RESTRICTION ON
PARTICIPATION IN UK FISHING INDUSTRY IS THAT VESSELS
MUST, UNDER THE MERCHANT SHIPPING ACT OF 1894, BE
REGISTERED AS BRITISH SHIPS AND THIS APPLIES TO ALL
SHIPS EXCEEDING 15 TONS OR 30 TONS IF THEY DO
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NOT HAVE A FIXED DECK AND ARE FISHING OFF THE

COAST OF CANADA. SECTION ONE OF PART ONE OF THE ACT DESCRIBES THE QUALIFICATION FOR OWNING A BRITISH SHIP AS FOLLOWS:

"A SHIP SHALL NOT BE DEEMED TO BE A BRITISH SHIP UNLESS OWNED WHOLLY BY PERSONS OF THE FOLLOWING DESCRIPTION (IN THIS ACT REFERRED TO AS PERSONS QUALIFIED TO BE OWNERS OF BRITISH SHIPS); NAMELY, -

(A) NATURAL-BORN BRITISH SUBJECTS:

(B) PERSONS NATURALIZED BY OR IN PURSUANCE OF AN ACT OF PARLIAMENT OF THE UNITED KINGDOM, OR BY OR IN PURSUANCE OF AN ACT OF ORDINANCE OF THE PROPER LEGISLATIVE AUTHORITY IN A BRITISH POSSESSION:

(C) PERSONS MADE DENIZENS BY LETTERS OF DENIZATION; AND

(D) BODIES CORPORATE ESTABLISHED UNDER AND SUBJECT TO THE LAWS OF SOME PART OF HER MAJESTY'S DOMINIONS, AND HAVING THEIR PRINCIPAL PLACE OF BUSINESS IN THOSE DOMINIONS:

PROVIDED THAT ANY PERSON WHO EITHER -

(I) BEING A NATURAL-BORN BRITISH SUBJECT HAS TAKEN THE OATH OF ALLEGIANCE TO A FOREIGN SOVEREIGN OR STATE OR HAS OTHERWISE BECOME A CITIZEN OR SUBJECT OF A FOREIGN STATE; OR

(II) HAS BEEN NATURALIZED OR MADE A DENIZEN AS AFORESAID;

SHALL NOT BE QUALIFIED TO BE OWNER OF A BRITISH SHIP UNLESS, AFTER TAKING THE SAID OATH, OR BECOMING A CITIZEN OR SUBJECT OF A FOREIGN STATE, OR ON OR AFTER BEING NATURALIZED OR MADE DENIZEN AS AFORESAID, HE HAS TAKEN THE OATH OF ALLEGIANCE TO HER MAJESTY THE QUEEN, AND IS DURING THE TIME HE IS OWNER OF THE SHIP EITHER RESIDENT IN HER MAJESTY'S DOMINIONS, OR PARTNER IN A FIRM ACTUALLY CARRYING ON BUSINESS IN HER MAJESTY'S DOMINIONS."

2. IN PRACTICE THIS DOES NOT RESTRICT FOREIGN PARTICIPATION IN THE UK FISHING INDUSTRY. "BODIES CORPORATE" ESTABLISHED IN THE UK CAN BE WHOLLY OWNED BY FOREIGN INTERESTS AND STILL QUALIFY UNDER THE ACT.

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